

*Peter Foy*  
21650 Oxnard Street, Suite 1900  
Woodland Hills, CA 91367

**RECEIVED**  
NOV 09 2011

INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE

November 8, 2011

Initiative Coordinator  
Office of the Attorney General  
State of California  
PO Box 994255  
Sacramento, CA 94244-25550

Re: Request for Title and Summary for Proposed Initiative

Dear Ms. McFarland:

I am proponent of Initiative Number 11-0066. After filing, I identified a non-substantive typographical error as follows:

Subdivision (c) of Section 10.5 of Article XI, Section 3 of the initiative on page 1, should read as follows:

(c) The amount of monetary compensation provided to a part-time local official shall be posted prominently on the Controller's and governmental body's website.

(inserting *of* between amount and monetary, and adding a period to the end of the subdivision)

Thank you for your time and attention to this important matter. Should you have any questions or require additional information, please contact Thomas W. Hiltachk, (916) 442-7757, [tomh@bmhlaw.com](mailto:tomh@bmhlaw.com).

Very Truly Yours,

  
Peter Foy

## INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO VOTERS

### SECTION 1. STATEMENT OF FINDINGS

In recent years, part-time local officials have abused their positions of power to provide themselves with excessive compensation and expensive perks, like lifetime health insurance and pensions. Worse yet, these abuses have been hidden from the public through complicated formulas, multiple layers of local governmental bodies, even the abuse of the Charter power provided for in this Constitution.

### SECTION 2. STATEMENT OF PURPOSE

Part-time local officials deserve to be fairly paid for their service. However, excessive perks, including lifetime health insurance and pensions, shall be prohibited. The total amount of all compensation shall be made public so that the public is better informed and abusive compensation practices are eliminated.

### SECTION 3. No Perks for Part-Time Politicians.

Section 10.5 of Article XI of the California Constitution is added to read:

Sec. 10.5(a) Notwithstanding any other provision of law, no part-time local official shall receive any other benefit, including lifetime health insurance or a pension, for his or her service except for monetary compensation.

(b) No part-time local elected official shall receive any monetary compensation for his or her service on any governmental body other than the office to which he or she was elected.

(c) The amount of monetary compensation provided to a part-time local official shall be posted prominently on the Controller's and governmental body's website.

(d)(1) "Full-time" means the local official is required to provide service to the local government or special district for a minimum of five days and forty hours per week, exclusive of holidays, or otherwise requires the local official to devote his or her full-time to the duties of the office and prohibits any outside employment which would interfere with those duties. Designation of an elective or appointive office as full-time shall be enacted by law.

(2) "Local official" means a person elected or appointed to a local government or special district, as defined in Article XIIIIC, for a fixed term of office.

(3) "Monetary Compensation" means a monetary payment paid as either: a salary, a stipend, or a per diem payment for attending a publicly noticed meeting. The type and amount of monetary compensation shall be enacted by law. In no event shall a local official be entitled to receive more than one per diem payment per day.

(4) "Other benefit" includes, but is not limited to, pension, retirement, health insurance, car allowance, home office allowance, professional and other membership dues. "Other benefit" does not include reimbursement for actual out-of-pocket expenses incurred and directly related to the office.

(5) "Part-time" means the elective or appointive office is not full-time.

#### SECTION 4. GENERAL PROVISIONS

A. The provisions of this Act are severable. If any provision of this Act or its application is held invalid, that finding shall not affect other provisions or applications that can be given effect without the invalid provision or application.

B. This Act shall become effective immediately upon its approval by the voters pursuant to Section 10(a) of Article II and shall be operative with respect to non-incumbent and newly elected or appointed local officials to term of office commencing on or after the date this Act becomes effective. With respect to incumbent local officials who have earned a vested right to additional pension benefits, the prohibition on pension benefits shall not be applicable to such persons, however the prohibitions on other benefits shall become operative upon the commencement of a new term of office on or after the date this Act becomes effective.